

S.B. 1437 (Moncrief on behalf of Harris) Relating to the county registration of dogs. (31-0) (31-0)

S.B. 1438 (Brown) Relating to the definition of a marginal gas well. (31-0) (31-0)

S.B. 1479 (Madla) Relating to deductions from the compensation of county employees for payment to a credit union. (31-0) (31-0)

S.B. 1515 (Turner) Relating to terms of courts and grand juries in Williamson County. (31-0) (31-0)

**CONCLUSION OF SESSION FOR
LOCAL AND UNCONTESTED BILLS CALENDAR**

The Presiding Officer, Senator Harris in Chair, announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Shapiro, the Senate at 8:02 a.m. adjourned until 9:00 a.m. today.

APPENDIX

REPORTS OF STANDING COMMITTEE

The following committee reports were received by the Secretary of the Senate:

April 11, 1995

JURISPRUDENCE — S.B. 1386, S.B. 1572, C.S.S.B. 1408, S.B. 912, C.S.S.B. 81, S.B. 1573, S.B. 512 (Amended), S.B. 622 (Amended), S.B. 514, S.B. 900, S.B. 789, S.B. 1594 (Amended), S.B. 691 (Amended)

**FIFTY-FIRST DAY
(Wednesday, April 12, 1995)**

The Senate met at 9:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

Matthew Kessler, a student at Virginia Theological Seminary and Oxford University, offered the invocation as follows:

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

On motion of Senator Truan and by unanimous consent, Article III, Section 5 of the Texas Constitution and Senate Rule 7.07(b) were suspended to permit the introduction of **S.B. 35**.

The following bill was introduced, read first time, and referred to the committee indicated:

HOUSE RESOLUTION ON FIRST READING

H.C.R. 91 to Committee on Administration.

House Chamber
April 12, 1995

H.B. 1086, Relating to disqualification for the receipt of unemployment compensation benefits based on the receipt of certain periodic payments.

H.B. 1115, Relating to filling a vacancy on the boards of certain mass transit authorities.

H.B. 1146, Relating to tuition and fees at a public institution of higher education for a nonresident student holding a competitive academic scholarship.

H.B. 1605, Relating to the licensing of insurance agents.

H.B. 1648, Relating to the criminal jurisdiction of justice courts and certain municipal courts.

H.B. 1689, Relating to training for members of the governing boards of public institutions of higher education.

H.B. 1743, Relating to preservation of historic properties by certain municipalities.

H.B. 2313, Relating to abolition of the Lamar University System and the transfer of the institutions in that system to the Texas State University System.

H.J.R. 64, Proposing a constitutional amendment exempting from ad valorem taxation the residence homestead of the surviving spouse of an elderly person.

Respectfully,

Cynthia Gerhardt, Chief Clerk
House of Representatives

SENATE RESOLUTION 716

Senator Haywood offered the following resolution:

S.R. 716, Recognizing April 12, 1995, as Wichita Falls Day in Texas and commemorating the many significant contributions of its citizens, past and present, to this state's heritage and greatness.

The resolution was read and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Haywood was recognized and introduced to the Senate a delegation of citizens from Wichita Falls, here in honor of Wichita Falls Day.

The Senate welcomed its guests.

SENATE CONCURRENT RESOLUTION 123

Senator Madla offered the following resolution:

WHEREAS, **S.B. 821** has passed the Texas Senate and the Texas House of Representatives and is now in the office of the governor; and

WHEREAS, Further consideration of the bill by the senate and the house of representatives is necessary; now, therefore, be it

RESOLVED by the 74th Legislature, That the governor be hereby requested to return **S.B. 821** to the senate for further consideration; and, be it further

RESOLVED, That the action of the President of the Senate and the Speaker of the House in signing **S.B. 821** be declared null and void and that the two presiding officers be authorized to remove their signatures from the enrolled bill.

The resolution was read.

On motion of Senator Madla and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

SENATE RESOLUTION 672

Senator Shapiro offered the following resolution:

S.R. 672, Extending birthday greetings and best wishes for many more years of success and happiness to former Governor William P. Clements, Jr.

The resolution was read.

On motion of Senator Leedom and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Shapiro, the resolution was adopted by a rising vote in honor of Governor Clements.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

S.C.R. 116	S.B. 222
S.C.R. 118	S.B. 253
S.C.R. 121	S.B. 315
S.B. 25	S.B. 584
S.B. 97	

SENATE CONCURRENT RESOLUTION 122

Senator Sims offered the following resolution:

S.C.R. 122, Commending Peggy Sue Garner for her exceptional service to the State of Texas, the farmers and ranchers of West Texas, the citizens of Upton County, and the residents of McCamey and congratulating her on her retirement from the Texas Natural Resource Conservation Commission.

The resolution was read.

On motion of Senator Sims and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

(Senator Truan in Chair)

SENATE RESOLUTION 643

Senator Barrientos offered the following resolution:

S.R. 643, Welcoming the students from the Guanajuato Exchange Program of Mexico and declaring them honorary citizens of Texas.

The resolution was again read.

The resolution was previously adopted on Wednesday, April 5, 1995.

GUESTS PRESENTED

Senator Barrientos was recognized and introduced to the Senate a group of law students from Guanajuato, Mexico, participating in The University of Texas Law School Student Exchange Program.

The Senate welcomed its guests.

(President in Chair)

SENATE RESOLUTION 709

Senator Sibley offered the following resolution:

S.R. 709, Joining the citizens of Wise County in paying tribute to their county on Wise County Days.

The resolution was read and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Sibley was recognized and introduced to the Senate a delegation of citizens from Wise County.

The Senate welcomed its guests.

SENATE CONCURRENT RESOLUTION 118

Senator Luna offered the following resolution:

S.C.R. 118, Proclaiming the week of April 9 through April 15, 1995, as Institute of Texan Cultures Week.

The resolution was again read.

The resolution was previously adopted on Tuesday, April 4, 1995.

GUESTS PRESENTED

Senator Luna was recognized and introduced to the Senate representatives of the Institute of Texan Cultures in San Antonio.

The Senate welcomed its guests.

CONCLUSION OF MORNING CALL

The President at 9:21 a.m. announced the conclusion of morning call.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

On motion of Senator Bivins and by unanimous consent, Senate Rule 14.02 was suspended in order to consider for confirmation those nominees reported yesterday by the Committee on Nominations.

Senator Bivins moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The President asked if there were requests to sever nominees.

There were no requests offered.

NOMINEES CONFIRMED

The following nominees, reported yesterday by the Committee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

Members, Texas Board of Criminal Justice: MAYOR JOHN DAVID FRANZ, Hidalgo County; ALLAN B. POLUNSKY, Bexar County; CAROLE S. YOUNG, Dallas County.

Members, Texas Higher Education Coordinating Board: DR. JOAQUIN GONZALEZ CIGARROA, JR., Webb County; JUAN JESUS HINOJOSA, Hidalgo County; JOSEPH R. KRIER, Bexar County; GWENDOLYN "WENDY" O'BRIEN MARSH, Potter County; JANIE STRAUSS McGARR, Dallas County; TOM C. NICHOLS, Lubbock County; LEONARD RAUCH, Harris County; CARLOS VILLA, El Paso County.

Member, Texas Transportation Commission: DAVID M. LANEY, Dallas County.

Members, Texas Agricultural Finance Authority Board of Directors: COMMISSIONER BENNIE CLAUNCH, Bailey County; DR. BETTY M. CONDRA, Lubbock County; PEGGY BARNES MADDOX, Mitchell County; JUDGE BRAD ROWLAND, Jones County; MARY ESTHER WEBB, Eastland County.

Member, Angelina and Neches River Authority Board of Directors: DR. JANELLE C. ASHLEY, Nacogdoches County.

Members, Central Colorado River Authority Board of Directors: ROBERT J. CHEANEY, Coleman County; PATTY S. GORDON, Coleman County; SHARLENE FAY TAYLOR, Coleman County.

Chief Justice of the Court of Appeals, Fourteenth Court of Appeals District: JUSTICE PAUL C. MURPHY, Harris County.

Justice of the Court of Appeals, Eleventh Court of Appeals District: JUDGE JIM R. WRIGHT, Eastland County.

Judge of the 88th Judicial District Court, Hardin and Tyler Counties: WILLIAM D. BEGGS, Hardin County.

Members, Texas State Board of Examiners of Marriage and Family Therapists: NOE CAVAZOS, Hidalgo County; DR. MARIA T. FLORES, Bexar County; DR. HARRIET H. ROBERTS, Harris County.

Members, State Board of Examiners for Speech Pathology and Audiology: DR. JON K. ASHBY, Taylor County; DR. LINDA DULCE MORA CANO, Nueces County; DELORIS MARIE JOHNSON, Harris County; TERI MATA-PISTOKACHE, Hidalgo County; DR. PETER S. ROLAND, Dallas County.

SENATE BILL 872 ON SECOND READING

On motion of Senator Madla and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 872, Relating to the regulation of retail installment contracts of certain goods and services.

The bill was read second time.

(Senator Armbrister in Chair)

Senator Madla offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 872** as follows:

(1) In Section 1 of the bill, in Article 6.01(b)(i), Title 79, Revised Statutes (introduced version page 2, line 16), insert "medical or dental services, or" between "than" and "prepaid".

The committee amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

SENATE BILL 872 ON THIRD READING

Senator Madla moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 872** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

COMMITTEE SUBSTITUTE**SENATE BILL 1445 ON SECOND READING**

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1445, Relating to transfer of title to a motor vehicle, the collection and administration of the motor vehicle sales tax, and certain disclosures that must be made to the purchaser of a motor vehicle.

The bill was read second time.

Senator Brown offered the following amendment to the bill:

Floor Amendment No. 1

C.S.S.B. 1445 is amended by adding a new Section 6 to the bill after page 8, line 10 of the substitute to read as follows, and by renumbering all subsequent sections of the bill accordingly:

"SECTION 6. Section 36, Certificate of Title Act (Article 6687-1, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 36. (a) Should a certificate of title, "Duplicate Original" or "Original," be lost or destroyed, the owner or lien holder thereof may, in the manner provided by this section and the rules of the Department, procure a certified copy of same directly from the Department by making application upon such form as may be prescribed by the Department from time to time, accompanied by a fee of \$2, which shall be deposited in the State Highway Fund and be expended as provided by Section 57 of this Act, provided however, that the certified copy of the certificate of title marked "Original" shall issue only to the first lien holder where lien is disclosed thereon. Said certified copy and all subsequent certificates of title issued, until transfer of ownership of said motor vehicle, shall be plainly marked across their faces "Certified Copy," and all subsequent purchasers or lien holders of said motor vehicle shall acquire only such rights, title, or interest in such motor vehicles as the holder of the said certified copy had, provided however, that upon the transfer of title to said motor vehicle, the words "Certified Copy" shall be eliminated from the new certificate of title. Any purchasers or lien holders of such motor vehicle may at the time of such purchase or at the time lien is established require the seller or owner to indemnify him and all subsequent purchasers of said motor vehicle against any loss which he or they may suffer by reason of any claim or claims presented upon the said original certificate of title. In the event of recovery of the said certificate of title, "Duplicate Original" or "Original" thereof, the said owner shall forthwith surrender the same to the Department for cancellation and the words "Certified Copy" shall be eliminated from said certificates thereafter issued by the Department.

(b) Except as provided by this subsection, the Department may not issue a certified copy of a certificate of title before the fourth business day after application has been made. The Department may issue a certified copy of a certificate of title to the registered owner of the vehicle or the holder of a recorded lien against the vehicle, or a verified agent of either, before the fourth business day following application if the applicant submits personal identification, including a photograph, issued by an agency of this state or the United States. If the applicant is an agent seeking issuance of a certified copy of a certificate of title to a motor vehicle on behalf of the registered owner or lien holder, the agent shall submit verifiable proof that the person is an agent of the registered owner or lien holder and personal identification, including a photograph, issued by agency of this state or the United States. In addition to the other requirements of this subsection, if an applicant for a certified copy of a certificate of title is a person other than the registered owner of the vehicle or the registered holder of a lien against the vehicle, or a verified agent of either, the Department may not issue a certified copy of a certificate of title to a vehicle except by mail.

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1445 ON THIRD READING**

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 1445** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(President in Chair)

CAPITOL PHYSICIAN

The President recognized Senator Wentworth, who presented Dr. John Weaver of Blanco as the "Doctor for the Day."

Dr. Weaver, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was made welcome by the Senate.

ANNOUNCEMENT

Senator Sibley was recognized and announced that Linda and Derek Moore, daughter and son-in-law of Senator and Mrs. Leedom, welcomed the arrival of their daughter, Laura, who was born this morning. Senator and Mrs. Leedom are grandparents for the 15th time.

HOUSE BILL 839 ON SECOND READING

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 839, Relating to imposing a limitation on the amount of special expenses that certain municipalities may retain from amounts collected in certain court proceedings.

The bill was read second time and was passed to third reading by a viva voce vote.

HOUSE BILL 839 ON THIRD READING

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 839** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

HOUSE BILL 988 ON SECOND READING

On motion of Senator Gallegos and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 988, Relating to home collection kits for human immunodeficiency virus infection testing; providing penalties.

The bill was read second time.

Senator Gallegos offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **H.B. 988**, Sec. 85.257 as follows: on page 3, line 21, after the word "products," delete the word "and" and insert the word "or"

The committee amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to third reading by a viva voce vote.

HOUSE BILL 988 ON THIRD READING

Senator Gallegos moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **H.B. 988** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 644 ON SECOND READING**

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 644, Relating to administration and collection of the franchise tax.

The bill was read second time.

Senator Montford offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 644** as follows:

(1) On page 6, line 22 of the committee report, between "Subsection (a)(3)" and ":", insert "who is not currently employed by the corporation".

(2) On page 6, line 28 of the committee report, strike "who is an officer or director of the corporation" and insert "identified in this subsection".

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 644 ON THIRD READING**

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 644** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 671 ON SECOND READING**

On motion of Senator Armbrister and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 671, Relating to the travel expenses incurred by state officers and employees.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 671 ON THIRD READING**

Senator Armbrister moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 671** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

SENATE BILL 1349 ON SECOND READING

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1349, Relating to subsequent evidentiary search warrants.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 1349 ON THIRD READING

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 1349** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

MESSAGE FROM THE HOUSE

House Chamber
April 12, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 123, Requesting **S.B. 821** to be returned to the senate for further consideration.

Respectfully,
Cynthia Gerhardt, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE
SENATE BILL 14 ON SECOND READING**

Senator Bivins asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 14, Relating to protecting private real property rights from certain actions of this state or a political subdivision of this state.

There was objection.

Senator Bivins then moved to suspend the regular order of business and take up **C.S.S.B. 14** for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Turner, Wentworth, West, Whitmire, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Rosson, Truan.

The bill was read second time.

Senator Rosson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 14** as follows:

1) In proposed Subsection 2007.002(5), before the words "the Fifth" delete the words "This chapter".

2) Delete proposed subsection 2007.021(a)(2) and insert in lieu thereof the following:

(2) the action results in a taking as defined in subsection 2007.002(5).

The amendment was read.

On motion of Senator Bivins, Floor Amendment No. 1 was tabled by the following vote: Yeas 24, Nays 7.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Turner, Wentworth, Whitmire, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Luna, Rosson, Truan, West.

Senator Barrientos offered the following amendment to the bill:

Floor Amendment No. 2

Amend C.S.S.B. 14 in Sec. 2007.003 (on page 1, lines 50 through 54) by deleting subdivision (3) of subsection (a) and renumbering appropriately.

The amendment was read.

On motion of Senator Bivins, Floor Amendment No. 2 was tabled by the following vote: Yeas 20, Nays 11.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Turner, Whitmire.

Nays: Barrientos, Ellis, Gallegos, Lucio, Luna, Madla, Rosson, Truan, Wentworth, West, Zaffirini.

Senator Luna offered the following amendment to the bill:

Floor Amendment No. 3

Amend C.S.S.B. 14, Section 2007.003(a)(3), page 1, lines 50-53 to read as follows:

(3) an action by a municipality that has effect in the municipality's extraterritorial jurisdiction unless:

(a) the section imposes identical requirements or restrictions throughout the entire municipality and its entire extraterritorial jurisdiction; or

(b) the purpose of the action is to prevent the pollution of an aquifer designated as a "sole source" aquifer under the federal Safe Drinking Water Act (Public Law 93-523).

The amendment was read and was adopted by the following vote: Yeas 19, Nays 12.

Yeas: Armbrister, Barrientos, Ellis, Gallegos, Lucio, Luna, Madla, Moncrief, Montford, Nixon, Ratliff, Rosson, Shapiro, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

Nays: Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Nelson, Patterson, Sibley, Sims.

Senator Montford offered the following amendment to the bill:

Floor Amendment No. 4

Amend C.S.S.B. 14 as follows:

Delete proposed new Sec. 2007.004, at page 2, lines 32-40, and insert the following:

"Sec. 2007.004. SUITS AGAINST THE STATE. (a) A person that has a claim under this chapter may sue the state or a governmental entity as provided by general law and this chapter to:

(1) recover damages allowed by this chapter; or

(2) invalidate a governmental action.

(b) This section does not authorize a person to execute a judgment against property of the state or a governmental entity."

The amendment was read and was adopted by a viva voce vote.

Senator Barrientos offered the following amendment to the bill:

Floor Amendment No. 5

Amend C.S.S.B. 14 in Sec. 2007.003(a), on page 2, between lines 29 and 30, by adding a new subdivision (14) to read as follows:

(14) an act to reduce the incidence of cancer including childhood leukemia, breast cancer, cervical cancer, anencephaly, deformities of reproductive organs in boys, decreased sperm counts, cholera, birth defects, lead poisoning, mental retardation, brain damage in children, asthma, spina bifida, neural tube defects, and the incidence of death from cryptosporidium.

The amendment was read.

On motion of Senator Bivins, Floor Amendment No. 5 was tabled by the following vote: Yeas 21, Nays 10.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Wentworth, West, Whitmire.

Nays: Barrientos, Ellis, Gallegos, Lucio, Luna, Madla, Rosson, Truan, Turner, Zaffirini.

Senator Truan offered the following amendment to the bill:

Floor Amendment No. 6

Amend C.S.S.B. 14 as follows:

Add the following at the end of proposed subsection 2007.002(3):

For private real property for which a property tax exemption has been claimed and granted under any provision of Secs. 23.41-23.79 of the Texas Tax Code at any time in the 2 years preceding the filing a suit under Section 2007.022, the market value of the property is hereby defined as the average of the values at which the property was taxed during the two years previous to the filing of the suit under Section 2007.022.

The amendment was read.

On motion of Senator Bivins, Floor Amendment No. 6 was tabled by the following vote: Yeas 21, Nays 10.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Turner, Wentworth, Whitmire.

Nays: Barrientos, Ellis, Gallegos, Lucio, Luna, Madla, Rosson, Truan, West, Zaffirini.

(Senator Armbrister in Chair)

Senator Truan offered the following amendment to the bill:

Floor Amendment No. 7

Amend C.S.S.B. 14 as follows:

(1) Strike proposed Section 2007.043(a) and substitute the following in its place:

(a) Except as proved by subsection (b), the Office of the Texas Comptroller shall prepare a written takings impact assessment that complies with the evaluation guidelines developed by the attorney general under Section 2007.041 before the state agency proposing the action provides the public notice required under Section 2007.042.

and

(2) Strike proposed Section 2007.045 and substitute the following in its place:

Section 2007.045. STATE AGENCY RULEMAKING. A state agency that proposes to adopt a rule that may result in a taking as indicated by the takings impact assessment shall request that the comptroller update the assessment of the rule if the rule is not adopted before the 180th day after the date the notice is given as required by Section 2001.023.

The amendment was read.

On motion of Senator Bivins, Floor Amendment No. 7 was tabled by the following vote: Yeas 23, Nays 8.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Turner, Wentworth, Whitmire.

Nays: Barrientos, Ellis, Gallegos, Luna, Rosson, Truan, West, Zaffirini.

Senator Truan offered the following amendment to the bill:

Floor Amendment No. 8

Amend C.S.S.B. 14 as follows:

(1) In proposed subsection 2007.043 add a new section 2007.043(a) as follows, and renumber the following subsections accordingly:

(a) Any person may petition a state agency or political subdivision to request that the agency or subdivision prepare a takings impact assessment on a proposed action that petitioner has reason to believe will result in a taking of petitioner's private real property. The petition must meet the following conditions:

(1) The petition must be submitted in writing to the agency or political subdivision within 20 days of the date of the notice required under Section 2007.042. Each agency and political subdivision covered by this chapter shall designate a person to receive such petitions. The petition must:

(A) identify the petitioner by name;
(B) identify by street address the private real property which petitioner has reason to believe may be taken by the proposed government action; and

(C) state, in detail, all reasons why the proposed action will constitute a taking, including what portion of the property will be affected, what rights or uses will be impaired or otherwise affected and why, and how much the property will decrease in market value if the governmental action is taken; and

(D) include a statement from a licensed appraiser setting forth the estimated decrease in market value, as defined in this chapter, that is likely to result from the government action.

(2) The petition must be signed and sworn to by the petitioner before a notary public, with the following certification: "I, _____, do hereby swear and affirm that all statements contained herein are, to the best of my knowledge, true and correct."

(3) Upon receipt of the petition, the agency or political subdivision shall evaluate the information presented and shall determine within 30 days whether the petition presents sufficient, credible information to warrant preparation of a takings impact assessment. The agency or political subdivision shall inform the petitioner of its decision by certified mail within 5 working days of the date of the decision.

(2) Strike proposed subsection 2007.044 and substitute the following:
Sec. 2007.044. **SUIT TO REQUIRE TAKINGS IMPACT ASSESSMENT AND STAY GOVERNMENTAL ACTION.** (a) A person who has submitted a petition under Sec. 2007.043(a) may bring suit to challenge the failure of a governmental entity to prepare a takings impact assessment within 30 days of the date that the governmental action becomes final.

(b) A suit against a state agency under this section must be filed in Travis County district. A suit against a political subdivision must be filed in the district court of the county in which the subdivision is located. If the political subdivision's jurisdiction covers more than one county, suit shall be filed in the district court in the county of the largest population which lies wholly or partially within the subdivision's jurisdiction.

(c) The court shall review the governmental entity's decision not to prepare a takings impact assessment under the arbitrary and capricious standard of review as set forth in Section 2001.074(2)(F) of the Texas Government Code and the court's decision shall be based on the record established before the governmental entity. If the court finds that the governmental entity has acted arbitrarily or capriciously in rejecting a request for a takings impact assessment, it shall order that the governmental entity's action be stayed with respect to the petitioner only and remand the matter to the governmental entity for preparation of a takings impact assessment.

(d) A takings impact assessment prepared on order of the court shall be completed and submitted to the court within 60 days of the date of the court's order.

(e) Upon submission of the takings impact assessment to the court, the court shall dismiss the action.

(f) A petitioner who prevails under this subsection is entitled to recover costs of court.

(g) A governmental entity may appeal the district court's decision to order preparation of a takings impact assessment, in which case the district court's order is stayed until final resolution of all appeals, except that the district court may stay the governmental entity's action with respect to the petitioner only, pending final resolution of the appeal. A petitioner may appeal the district court's decision not to order preparation of a takings impact assessment, but in such case no stay of the governmental entity's action shall be issued.

The amendment was read.

On motion of Senator Truan and by unanimous consent, Floor Amendment No. 8 was withdrawn.

Senator Truan offered the following amendment to the bill:

Floor Amendment No. 9

Amend C.S.S.B. 14 as follows:

In proposed Subsection 2007.003(b)(13)(B) strike the word "and" that follows the semicolon and substitute the word "or".

The amendment was read.

On motion of Senator Truan and by unanimous consent, Floor Amendment No. 9 was temporarily withdrawn.

Senator Truan offered the following amendment to the bill:

Floor Amendment No. 10

Amend C.S.S.B. 14 as follows:

After Section 6 of the bill, add new Section 7 as follows and renumber existing Section 7 of the bill as Section 8.

SECTION 7. (a) This chapter is repealed effective September 1, 1997.

(b) On or before January 1, 1997 the Office of the Texas Comptroller shall report to the public, the Texas Legislature, the lieutenant governor and the governor the costs to the state and to political subdivisions of the state for implementation of this legislation. This report shall include, at a minimum, the following information:

(1) the costs of preparing to defend or defending suits for compensation brought pursuant to Sec. 2007.022;

(2) the amounts of any judgments awarded under Sec. 2007.023;

(3) the costs of preparing takings impact assessments pursuant to Sec. 2007.043;

(4) the costs for the Attorney General to prepare the guidelines required by Sec. 2007.041; and

(5) any other costs to the state or its political subdivisions associated with implementation of this legislation.

(c) All governmental entities subject to or mentioned in this legislation shall provide the Comptroller with full and complete documentation of costs as described in this section and shall provide the Comptroller with full cooperation in preparation of the report as described in subsection (b) of this section.

The amendment was read.

On motion of Senator Bivins, Floor Amendment No. 10 was tabled by the following vote: Yeas 23, Nays 8.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Turner, Wentworth, Whitmire.

Nays: Barrientos, Ellis, Gallegos, Luna, Rosson, Truan, West, Zaffirini.

Senator Rosson offered the following amendment to the bill:

Floor Amendment No. 11

Amend C.S.S.B. 14 by adding a new appropriately numbered subsection at the end of proposed subsection 2007.003(b) to read as follows:

() an action or rulemaking undertaken by the Texas Public Utility Commission to order or require the location or placement of telecommunications equipment owned by another party on the premises of a certificated local exchange company.

The amendment was read and was adopted by a viva voce vote.

Senator Truan again offered the following amendment to the bill:

Floor Amendment No. 9

Amend C.S.S.B. 14 as follows:

In proposed Subsection 2007.003(b)(13)(B) strike the word "and" that follows the semicolon and substitute the word "or".

The amendment was again read.

On motion of Senator Bivins, Floor Amendment No. 9 was tabled by the following vote: Yeas 23, Nays 8.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Turner, Wentworth, Whitmire.

Nays: Barrientos, Ellis, Gallegos, Luna, Rosson, Truan, West, Zaffirini.

The bill as amended was passed to engrossment by the following vote: Yeas 26, Nays 5.

Yeas: Armbrister, Bivins, Brown, Cain, Ellis, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford,

Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Turner, Wentworth, West, Whitmire.

Nays: Barrientos, Gallegos, Rosson, Truan, Zaffirini.

**COMMITTEE SUBSTITUTE
SENATE BILL 14 ON THIRD READING**

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.B. 14** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Sims, Turner, Wentworth, West, Whitmire, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Rosson, Truan.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

(President in Chair)

GUESTS PRESENTED

Senator Moncrief was recognized and introduced to the Senate Dr. Hunter Schmidt and Dr. Richard Millsap, faculty members from The University of Texas at Arlington.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Harris was recognized and introduced to the Senate members of the racing team from Winston School in Dallas.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Nixon was recognized and introduced to the Senate a delegation of citizens from Shelby County and a group of sixth-grade students from C. H. Daniel Intermediate School of Center.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Sims was recognized and introduced to the Senate a delegation of citizens from Temple.

The Senate welcomed its guests.

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate:

S.C.R. 123

GUESTS PRESENTED

Senator Patterson was recognized and introduced to the Senate representatives of NASA from Harris County.

The Senate welcomed its guests.

**COMMITTEE SUBSTITUTE
SENATE BILL 415 ON SECOND READING**

On motion of Senator Leedom and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 415, Relating to a county or precinct officer who overcharges a person a fee.

The bill was read second time.

Senator Harris offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 415** as follows:

In SECTION 1 of the bill, in added Section 118.801, Local Government Code, strike Subsection (b) and substitute the following:

(b) An officer who, in good faith, demands and receives a higher fee than authorized or a fee not authorized under this chapter is liable to the aggrieved person:

(1) for the difference between the amount demanded and received and the amount of the fee authorized under this chapter; or

(2) in a suit to recover the difference under Subdivision (1), if the officer has failed to return the difference not later than the 30th day after the date an aggrieved person has made a written demand for the difference, for:

(A) the difference between the amount demanded and received and the amount of the fee authorized under this chapter;

(B) reasonable and necessary attorney's fees; and

(C) prejudgment and postjudgment interest determined in the same manner in which interest is determined under Sections 2 and 7, Article 1.05, Title 79, Revised Statutes (Article 5069-1.05, Vernon's Texas Civil Statutes).

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 415 ON THIRD READING**

Senator Leedom moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 415** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

HOUSE BILL 383 REREFERRED

On motion of Senator Shapiro and by unanimous consent, **H.B. 383** was withdrawn from the Committee on State Affairs and was rereferred to the Committee on Economic Development.

SENATE BILL 1651 REREFERRED

On motion of Senator Turner and by unanimous consent, **S.B. 1651** was withdrawn from the Committee on Education and was rereferred to the Committee on Finance.

**SENATE RULE 11.19 SUSPENDED
(Posting Rule)**

On motion of Senator Brown and by unanimous consent, Senate Rule 11.19 was suspended in order that the Committee on Natural Resources might consider **S.B. 16** today.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 436**

Senator Montford submitted the following Conference Committee Report:

Austin, Texas
April 10, 1995

Honorable Bob Bullock
President of the Senate

Honorable James E. "Pete" Laney
Speaker of the House of Representatives

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **S.B. 436** have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

MONTFORD

RATLIFF

ZAFFIRINI

MADLA

MONCRIEF

On the part of the Senate

RANGEL

SMITHEE

JANEK

McDONALD

BERLANGA

On the part of the House

**A BILL TO BE ENTITLED
AN ACT**

relating to the regulation of certain facilities that advertise the provision of special care for residents with Alzheimer's disease and related disorders.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 242, Health and Safety Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. CARE FOR RESIDENTS WITH ALZHEIMER'S DISEASE AND RELATED DISORDERS

Sec. 242.201. SCOPE OF SUBCHAPTER. This subchapter applies only to an institution that advertises, markets, or otherwise promotes that the institution provides services to residents with Alzheimer's disease and related disorders.

Sec. 242.202. DISCLOSURE REQUIRED. (a) An institution covered by this subchapter shall provide a disclosure statement disclosing the nature of its care or treatment of residents with Alzheimer's disease and related disorders to:

(1) an individual seeking placement as a resident with Alzheimer's disease or a related disorder;

(2) an individual attempting to place another individual as a resident with Alzheimer's disease or a related disorder; or

(3) a person seeking information about the institution's care or treatment of residents with Alzheimer's disease and related disorders.

(b) The disclosure statement must be displayed with the institution's license as it is posted under Section 242.042.

(c) The institution must file the disclosure statement with the department as part of the report filed under Section 242.033(d). The department shall verify contents of the disclosure statement as part of the license renewal process.

(d) The disclosure statement must contain the following categories of information:

(1) the institution's philosophy of care;

(2) the preadmission, admission, and discharge process;

(3) resident assessment, care planning, and implementation of the care plan;

(4) staffing patterns, such as resident-to-staff ratios, and staff training;

(5) the physical environment of the institution;

(6) resident activities;

(7) program costs;

(8) systems for evaluation of the institution's programs for residents;

(9) family involvement in resident care; and

(10) the toll-free telephone number maintained by the department for acceptance of complaints against the institution.

(e) The institution must update the disclosure statement as needed to reflect changes in the operation of the institution.

Sec. 242.203. VIOLATION. (a) An institution that violates this subchapter is subject to an administrative penalty under Subchapter C.

(b) The department may not revoke or suspend the license of an institution for a violation of this subchapter.

Sec. 242.204. RULES. The board shall adopt rules governing:

(1) the content of the disclosure statement required by this subchapter, consistent with the information categories required by Section 242.202(d); and

(2) the amount of an administrative penalty to be assessed for a violation of this subchapter.

SECTION 2. (a) Not later than the 90th day after the effective date of this Act, the chairman of the Texas Council on Alzheimer's Disease and Related Disorders authorized by Chapter 101, Health and Safety Code, shall appoint a task force composed of:

(1) two members from the Texas Council on Alzheimer's Disease and Related Disorders;

(2) two members of the Alzheimer's Association Coalition of Texas;

(3) two representatives of institutions that provide services to residents with Alzheimer's disease;

(4) two representatives of the professional gerontology community with expertise in Alzheimer's disease; and

(5) one professional staff person from the Texas Department of Human Services with expertise in Alzheimer's disease.

(b) The chairman of the Texas Council on Alzheimer's Disease and Related Disorders shall designate the task force's chairman.

(c) The task force shall meet at the call of its chairman.

(d) Not later than the 180th day after the date the task force is appointed, the task force shall deliver a report to the Texas Department of Human Services recommending the nature and type of information, consistent with the information categories required by Subsection (d), Section 242.202, Health and Safety Code, as added by this Act, that should be included in the disclosure statement required under Subchapter H, Chapter 242, Health and Safety Code, as added by this Act.

(e) Members of the task force are not entitled to compensation, per diem, or expense reimbursement for their service on the task force.

(f) Not later than the 120th day after the date the Texas Department of Human Services receives the task force's report, and after consideration of the task force's recommendations, the Texas Board of Human Services shall adopt rules governing:

(1) the content of the disclosure statement required under Subchapter H, Chapter 242, Health and Safety Code, as added by this Act; and

(2) administrative penalties for institutions that violate Subchapter H, Chapter 242, Health and Safety Code, as added by this Act.

(g) An institution is not required to provide a disclosure statement under Subchapter H, Chapter 242, Health and Safety Code, as added by this Act, before the 30th day after rules are adopted under Subsection (f) of this section.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was filed with the Secretary of the Senate.

MEMORIAL RESOLUTIONS

S.R. 689 - By Turner: In memory of Charlie B. Barmore of Rockdale.

S.R. 691 - By Turner: In memory of Herbert Callaway of Crockett.

S.R. 695 - By Turner: In memory of Larry Lina of Caldwell.

S.R. 697 - By Turner: In memory of Melvin "Butch" Weiss of Brenham.

S.R. 699 - By Turner: In memory of Mary Catherine Smith of Marlin.

S.R. 700 - By Turner: In memory of Dan Edd Hamilton of Mexia.

S.R. 702 - By Turner: In memory of the Reverend Kendall L. Coffey of Mexia.

S.R. 706 - By Turner: In memory of Edward S. Cahoon of Hempstead.

S.R. 707 - By Turner: In memory of Earn Roland Lockhart of Groesbeck.

S.R. 708 - By Turner: In memory of Ralph H. Walton of Grapeland.

S.R. 714 - By Barrientos: In memory of Sandra "Sandy" Fay Strahan Perry of Austin.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 685 - By Turner: Congratulating Babe Aycock of Mart, who was recently inducted into the Texas Emergency Medical Services Hall of Fame.

S.R. 686 - By Turner: Congratulating Mr. and Mrs. Jessie Pospisil of Taylor on their 50th wedding anniversary.

S.R. 687 - By Turner: Congratulating Nancy Stafford of Mexia on the occasion of her 100th birthday.

S.R. 688 - By Turner: Congratulating Samuel Unger of Huntsville on achieving the rank of Eagle Scout.

S.R. 690 - By Turner: Congratulating Charlie Hurd of Mexia on the occasion of his 103rd birthday.

S.R. 692 - By Turner: Congratulating Cleburne R. Randall of Crockett on the occasion of his 81st birthday.

S.R. 693 - By Turner: Congratulating the Reverend and Mrs. Marvin Simms of Marlin on their 50th wedding anniversary.

S.R. 694 - By Turner: Congratulating Bryan *Eagle* reporter Chris Whitley on receiving an award at the annual Texas Associated Press Managing Editors Convention.

S.R. 696 - By Turner: Congratulating Bryan *Eagle* photographer Mike Mulvey on receiving an award at the annual Texas Associated Press Managing Editors Convention.

S.R. 698 - By Turner: Congratulating Bryan *Eagle* Features Editor Anton Riecher on receiving an award at the annual Texas Associated Press Managing Editors Convention.

S.R. 701 - By Turner: Recognizing Jo Nation, who is retiring after 10 years as the receptionist at the Walker County Courthouse.

S.R. 703 - By Turner: Congratulating Erma Doss of Rockdale on the occasion of her 100th birthday.

S.R. 704 - By Turner: Congratulating Bryan *Eagle* movie reviewer Jim Butler on receiving an award at the annual Texas Associated Press Managing Editors Convention.

S.R. 705 - By Turner: Congratulating Bryan *Eagle* Chief Photographer Dave McDermid on receiving an award at the annual Texas Associated Press Managing Editors Convention.

S.R. 710 - By Barrientos: Congratulating Kellye Amason on being crowned Miss Austin 1995.

S.R. 711 - By Barrientos: Declaring April 23 through April 29, 1995, as the Week of the Young Child.

S.R. 712 - By Barrientos: Congratulating the Reverend Dr. Ralph M. Smith on the occasion of the 35th anniversary of his ministry at Hyde Park Baptist Church of Austin.

S.R. 713 - By Barrientos: Recognizing George L. Finch of Austin for his contributions to the Boy Scouts of America.

S.R. 715 - By Shapiro: Welcoming the students of The University of Texas at Dallas who will be visiting the State Capitol.

H.C.R. 162 - (Bivins): Recognizing Dorothy and Clarence Scharbauer, Jr., for their philanthropic support of Midland College.

ADJOURNMENT

On motion of Senator Truan, the Senate at 1:05 p.m. adjourned until 10:00 a.m. Tuesday, April 18, 1995.

APPENDIX

REPORTS OF STANDING COMMITTEES

The following committee reports were received by the Secretary of the Senate:

April 12, 1995

ECONOMIC DEVELOPMENT — C.S.S.B. 32, C.S.S.B. 870, C.S.S.B. 325, S.B. 1101, S.B. 1642 (Amended), C.S.S.B. 526, C.S.S.B. 1407, C.S.S.B. 1284, S.B. 1119, C.S.S.B. 752, S.B. 182, C.S.S.B. 1502

STATE AFFAIRS — C.S.S.B. 1139, C.S.S.B. 1387, C.S.S.B. 1221, C.S.S.B. 1360

NATURAL RESOURCES — S.B. 1223 (Amended), C.S.S.B. 1546, C.S.S.B. 1551, C.S.S.B. 1146, C.S.S.B. 1173, S.B. 1347

STATE AFFAIRS — S.B. 1116 (Amended)

CRIMINAL JUSTICE — C.S.S.B. 874

STATE AFFAIRS — C.S.S.B. 301

SENT TO GOVERNOR

(April 12, 1995)

S.C.R. 116 S.B. 97

S.C.R. 118 S.B. 222

S.C.R. 121 S.B. 253

S.C.R. 123 S.B. 315

S.B. 25 S.B. 584

SIGNED BY GOVERNOR

(April 12, 1995)

S.C.R. 121

S.C.R. 123

FIFTY-SECOND DAY

(Tuesday, April 18, 1995)

The Senate met at 10:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

A quorum was announced present.

The Reverend Laura S. Mendenhall, Senior Pastor, Westminster Presbyterian Church, Austin, offered the invocation as follows:

Almighty God, bless those who hold office in the government of this fair State of Texas, that they may do their work in a spirit of wisdom, kindness, and justice. Help them use their authority to promote the general welfare—that we may eliminate ways of living together which promote poverty, prejudice, or oppression,